

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

GURINDER SINGH BAINS, as Personal
Representative of the ESTATE of
JASWINDER SINGH, deceased, HAR-
PREET SINGH and his wife, DILPREET
KAUR, and LAKHWINDER KAUR,

Plaintiffs,

v.

AMERICAN TACTICAL, INC.,
ANTHONY DICHARIO, JOSEPH
CALABRO,
SCHMEISSER GMBH, and 365 PLUS
D.O.O.

Defendants.

Civil Action No. 2:24-cv-03970-BHH

**DEFENDANTS' RESPONSES TO
LOCAL RULE 26.01 INTERROGATORIES**

Pursuant to Rule 26.01 of the Local Civil Rules of the United States District Court for the District of South Carolina, Defendants AMERICAN TACTICAL, INC., ANTHONY DICHARIO, and JOSEPH CALABRO ("ATI Defendants") by and through their undersigned attorneys submit the following answers to interrogatories as required by the Court:

1. State the full name, address and telephone number of all personal or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

RESPONSE #1: None known at this time.

2. As to each claim, state whether it should be tried jury or non-jury and why.

RESPONSE #2: The issues of liability and damages should be tried by a jury as Plaintiffs are claiming and/or may claim monetary relief.

3. State whether the party submitting these responses is a publicly owned company and separately identify (1) any parent corporation and any publicly held corporation owning ten percent

(10%) or more of the party's stock; (2) each publicly owned company of which it is a parent; and (3) each publicly owned company in which the party owns ten percent (10%) or more of the outstanding shares.

RESPONSE #3: No.

4. State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

RESPONSE #4: This claim was transferred by the United States District Court, Western District of New York, Case #: 6:23-cv-06208-EAW on July 17, 2024. The ATI Defendants do not challenge the appropriateness of this case being assigned to the Charleston Division, as Defendant American Tactical, Inc. has its principal place of business in Summerville, South Carolina, which is within this District.

5. Is this action related in whole or in part to any other matter filed in this district, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

RESPONSE #5: (1) *Johal, et al. v. American Tactical, Inc., et al.*, 2:24-cv-03969-BHH (the “Johal Action”). (2) These matters are related because they involve the same underlying facts and incident, namely, the April 15, 2021, criminal shooting that took place at a FedEx facility

in Indianapolis, Indiana. (3) The *Johal* Action was transferred to this Court at the same time as this action and are at the same stages of litigation.

6. [Defendants only.] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

RESPONSE #6: The ATI Defendants are properly identified.

7. [Defendants only.] If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of their liability.

RESPONSE #7: The ATI Defendants contend that the criminal shooter¹ or his estate is wholly liable to Plaintiffs for their harm. In addition, the ATI Defendants contend that FedEx Corporation, FedEx Ground Package System, Inc., Federal Express Corporation, FedEx Corporate Services, Inc., and/or Securitas Security Services, USA could be wholly or in part liable to Plaintiffs, as set forth in the pleadings filed by some or all the Plaintiffs against these entities in the United States District Court, Southern District of Indiana (1:22-cv-00716-JRS-MG and 1:23-cv-00151-MPB-MKK, consolidated using Case No. 1:22-cv-00716).

8. Parties or Intervenors in a Diversity Case. In an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the court orders otherwise, name – and identify the citizenship of – every individual or entity whose citizenship is attributed to that party or intervenor. This response must be supplemented when any later event occurs that could affect the court’s jurisdiction under § 1332(a).

¹ To avoid creating further notoriety for the murderer, his name will not be used in these interrogatory responses.

RESPONSE #8: American Tactical, Inc. is a New York corporation with its principal place of business in the state of South Carolina. Anthony DiChario is a citizen and resident of the state of South Carolina. Joseph Calabro is a citizen and resident of the state of New York.

Respectfully submitted,

ROBINSON GRAY STEPP & LAFFITTE, L.L.C.

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October 11, 2024